

3. At times relevant to this indictment, defendant Kuehl made loan payments to the Community Bank of Owensville, using checks drawn on her personal bank accounts at National City Bank, PNC Bank and Commerce Bank and on a PNC Bank business account in the name

Baby Boomers Health, LLC (Baby Boomers). Defendant Kuehl owned and operated Baby Boomers, which provided in-home health care services.

4. On many occasions, JW and defendant Kuehl did not make timely payments on the loan. Finally, in or about July 2013, Maries Bank foreclosed on the property.

DESCRIPTION OF THE FRAUD SCHEME

Fraudulent Checks

5. After the foreclosure in July 2013, defendant Kuehl devised and executed, and attempted to execute, a scheme to defraud Maries Bank by submitting fraudulent checks as proof that she had made loan payments to the bank on the dates listed on the fraudulent checks described below.

6. Defendant Kuehl created a fraudulent check dated February 4, 2011, by altering a copy of a check payable to W&J Billing and Consulting (W&J). W&J deposited the \$2000 check in its account. Defendant Kuehl received a copy of the check after it was deposited. On her copy of the check, defendant Kuehl changed the payee to Community Bank of Owensville so that it would appear she had made a \$2000 loan payment on or about February 4, 2011.

7. Defendant Kuehl created a second fraudulent check dated February 25, 2011, by altering a copy of a payroll check payable to AH, an employee of Baby Boomers. AH deposited the payroll check in her account and defendant Kuehl received a copy of the check after it was deposited. Defendant Kuehl changed the payee to Community Bank of Owensville so that it would appear she had made a \$1968.88 loan payment to the bank in February 2011.

8. Defendant Kuehl created a third fraudulent check dated March 25, 2011, by altering a copy of a payroll check payable to AH, an employee of Baby Boomers. AH deposited the payroll check in her account and defendant Kuehl received a copy of the check after it was deposited. On her copy of the check, defendant Kuehl changed the payee to Community Bank of Owensville. The processing date on the back of this fraudulent check is March 24, 2012, which is a year after the date of the fraudulent check. Further, March 24, 2012 was a Saturday and not a check processing day for Maries Bank. Defendant Kuehl created this fraudulent check so that it would appear she had made a \$1968.88 payment to the bank on or about March 25, 2011.

9. Defendant Kuehl created a fourth fraudulent check, dated April 20, 2011. The original check was payable to W&J, which check was deposited in its account. Defendant Kuehl received a copy of the check after it was deposited. Defendant Kuehl changed the payee to Community Bank of Owensville so that it would appear she had made a \$2000 payment to the bank on or about April 20, 2011.

10. Defendant Kuehl created a fifth fraudulent check, dated January 14, 2013. Defendant Kuehl had made a payment to the bank with a valid check dated May 2, 2011, which cleared the bank on May 5, 2011. On her copy of the May 2, 2011 check, defendant Kuehl changed the date to January 14, 2013. On the back of check, she attempted to obscure the processing date, but the date of May 5, 2011 can still be seen. Defendant Kuehl created this fraudulent check so that it would appear she had made a \$1928.64 payment in January 2013.

11. As part of the scheme and artifice to defraud, defendant Kuehl created a sixth fraudulent check in the same manner described above in paragraph 10. This fraudulent check is

also dated January 14, 2013. Defendant Kuehl created this fraudulent check so that it would appear she had made a second \$1978.64 payment in January 2013.

Fraudulent Statements

12. It was part of the scheme and artifice to defraud that defendant Kuehl falsely represented that she had made two cash payments to a bank employee, which Maries Bank had not credited to her loan account.

13. According to defendant Kuehl, she made the first cash payment of \$4000 to a bank employee on January 14, 2013. However, this employee was on sick leave for a serious medical condition from January 8, 2013 to January 25, 2013, was not present at the bank, and did not receive the payment.

14. Further, defendant Kuehl falsely stated that she made a second cash payment of \$6900 to a bank employee at a truck stop located in Washington, Missouri. However, a bank video shows that the employee was at the bank that day, except for lunch. The bank employee could not have made a round trip from the bank to the truck stop during her lunch break.

15. As part of the scheme and artifice to defraud, defendant Kuehl also created other false and fraudulent documents, including e-mails falsely representing communications with Maries Bank and the Community Bank of Owensville.

Execution of the Fraud Scheme

16. After the foreclosure, defendant Kuehl retained attorneys to represent her related to the foreclosure by Maries Bank. It was part of the scheme and artifice to defraud that defendant Kuehl falsely and fraudulently told her attorneys that she had made payments by check

and in cash, which the bank had not credited to her loan account. She also gave the attorneys copies of the fraudulent documents, including the fraudulent checks, to present to Maries Bank as proof of payment.

17. Unaware that these statements and checks were fraudulent, defendant Kuehl's attorneys repeated the false statements to employees of Maries Bank. The attorneys also gave Maries Bank copies of the fraudulent documents.

18. On or about September 9, 2013, in the Eastern District of Missouri, defendant Kuehl executed, and attempted to execute, the scheme and artifice to defraud as described above, in that defendant Kuehl submitted, and caused to be submitted, the above described fraudulent documents and statements to the Maries County Bank as proof of payment.

All in violation of Title 18, United States Code, Sections 1344(1) and 2.

A TRUE BILL.

FOREPERSON

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